

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

8:30 AM

6:16-15568 Sheila R Medina

Chapter 7

#1.00 Hrg re reaffirmation agreement filed 9-26-16 between Debtor and Wells Fargo Bank in the amount of \$14,721.08

RE: 2011 Toyota Corolla

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sheila R Medina

Pro Se

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

8:30 AM

6:16-17585 Gloria Irma Torres

Chapter 7

#2.00 Hrg re reaffirmation agreement filed 10-12-16 between Debtor and Nissan Motor Acceptance Corporation in the amount of \$14,765.22

RE: 13 Nissan Altima

Docket 10

***** VACATED *** REASON: AMENDED REAFFIRMATION FILED 10-28-16 WITH ATTORNEY SIGNATURE**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gloria Irma Torres

Represented By
Douglas A Crowder

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

8:30 AM

6:16-17691 Charles E. Erbstoesser and Stacey C. Moritz

Chapter 7

#3.00 Hrg re reaffirmation agreement filed 9-21-16 between Debtor's and Fifth Third Bank in the amount of \$15,107.21

RE: 2013 Ford F150

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charles E. Erbstoesser

Represented By
Michael Smith

Joint Debtor(s):

Stacey C. Moritz

Represented By
Michael Smith

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

8:30 AM

6:16-18535 Christopher Paul Jankay and Stacy Lynne Jankay

Chapter 7

#4.00 Hrg re reaffirmation agreement filed 10-12-16 between Debtor's and Capital One Auto Finance in the amount of \$13.897.24

RE: 2013 Chevrolet Cruze Sedan 4D LT 14 Turbo

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher Paul Jankay	Pro Se
-------------------------	--------

Joint Debtor(s):

Stacy Lynne Jankay	Pro Se
--------------------	--------

Trustee(s):

Larry D Simons (TR)	Pro Se
---------------------	--------

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

9:00 AM

6:16-12830 Jeffry J Kasenda and Jovanda S Kasenda

Chapter 7

#4.01 Hrg re trustees emergency motion for turnover of property

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeffry J Kasenda

Represented By
Matthew J Singer

Joint Debtor(s):

Jovanda S Kasenda

Represented By
Matthew J Singer

Trustee(s):

Karl T Anderson (TR)

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:00 AM

6:16-16547 Luis Garcia, Jr

Chapter 7

#5.00 Motion for relief from stay

WELLS FARGO BANK VS DEBTOR

Property: 4800 Evart Street, Montclair, CA 91763-3607
[Real Prop] Erica T. Loftis, attorney/movant

Docket 12

Tentative Ruling:

11/3/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain possession of the property, foreclose its lien upon the property and to sell the property.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:00 AM

CONT...

Luis Garcia, Jr

Chapter 7

(2) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

(3) The creditor or counsel for the creditor may communicate with the debtor or counsel for the debtor regarding the property that is the subject of this motion and the debt owed to the creditor.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Luis Garcia Jr

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:00 AM

6:16-18364 Galina N. Kolcheva

Chapter 7

#6.00 Motion for relief from stay

TROJAN CAPITA INVESTMENTS VS DEBTOR

Property: 2234 Hedgerow Lane, Chino Hills, CA 91709
[UD] Joseph C. Delmotte, attorney/movant

Docket 12

Tentative Ruling:

11/3/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

The motion requests relief from the automatic stay to complete an eviction. Using a bankruptcy case to delay an eviction is not appropriate. *See, e.g., In re Smith*, 105 B.R. 50, 53 & 55 (Bankr. C.D. Cal. 1989) (describing cases filed to delay an eviction as “abusive” and designed to “delay improperly the landlord from obtaining possession of his property.”). Accordingly, for this reason and the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:00 AM

CONT...

Galina N. Kolcheva

Chapter 7

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain possession of the property.

(2) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Galina N. Kolcheva

Represented By
Keith Q Nguyen

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:00 AM

6:16-19137 Magnolia Jean Stiers

Chapter 13

#6.01 Hrg re motion individual case for order imposing a stay or continuing the automatic stay

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Magnolia Jean Stiers

Represented By
Nancy Korompis

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19363 Rafael Martinez

Chapter 13

#7.00 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rafael Martinez

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19380 Larry L Cope

Chapter 13

#8.00 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Larry L Cope

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19381 Latonia Shermaine Jackson

Chapter 13

#9.00 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Latonia Shermaine Jackson

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19434 Wayne J Rizzi

Chapter 13

#9.01 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne J Rizzi

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19437 Robert Frank McKinstry, Sr

Chapter 13

#9.02 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Frank McKinstry Sr

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

10:15 AM

6:16-19450 Richard Gonzalez

Chapter 13

#9.03 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Gonzalez

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

1:30 PM

6:13-28989 Arthur Harry Nelson

Chapter 7

Adv#: 6:15-01256 Simons (TR) v. Secured Development I, a California General Partne

#10.00 Status conference re: Complaint for 1) Authority to Sell Property; 2) Accounting;
3) Dissolution of Partnership and Authority to Sell Partnership Property
Declaratory Relief; 5) Declaratory Relief; and 6) Declaratory Relief

FROM: S/C 11-19-15

Docket 1

***** VACATED *** REASON: ADVERSARY DISMISSED 6-27-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Arthur Harry Nelson

Represented By
C Scott Rudibaugh

Defendant(s):

Timothy L. Strader, Jr., Trustee of	Pro Se
Nelson Investments, a California	Pro Se
Secured Development I, a California	Pro Se
Susan M. Strader, an individual	Pro Se
Chesapeake Bank	Pro Se
Pacific Mercantile Bank, a	Pro Se
Judith L. Nelson, an individual	Pro Se
Art Nelson, Inc., a California	Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, November 03, 2016

Hearing Room 304

1:30 PM

CONT... Arthur Harry Nelson

Chapter 7

Plaintiff(s):

Larry D. Simons (TR)

Represented By
Elissa Miller

Trustee(s):

Larry D Simons (TR)

Represented By
Elissa Miller
SulmeyerKupetz

Larry D Simons (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se